

12/12/2008

ALAN ELLIS, ESQUIRE
 Law Offices of Alan Ellis
 495 Miller Avenue, Suite 201
 Mill Valley, CA 94941
 415-380-2550 Phone
 415-380-2555 Fax

Attorney for Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	Case No.: CR08-00076-JW
Plaintiff,)	
)	STIPULATION TO CONTINUE
vs.)	SENTENCING
)	
FRANK GEMBECK, JR.,)	January 26, 2009
)	1:30 pm
Defendant)	Courtroom 8, 4 th Floor
)	San Jose

Sentencing is currently scheduled for January 26, 2009, at 1:30 pm. This means that the draft Presentence Investigation Report will be issued on December 22, 2008. Alan Ellis, Esquire, attorney for Defendant, Frank Gembeck, Jr., will be on vacation in China from December 20 through January 8 and as such will be unable to file objections to the draft Presentence Investigation Report. Accordingly, the parties have agreed with the U.S. Probation Officer' concurrence that it would be acceptable to continue the sentencing for six weeks, i.e., until March 9 at 1:30 pm.

LAW OFFICES OF ALAN ELLIS

BY: /s/
 ALAN ELLIS
 Attorney for Defendant

UNITED STATES OF AMERICA

BY: /s/
 RICHARD CHENG
 Attorney for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

FRANK GEMBECK, JR.,
Defendant

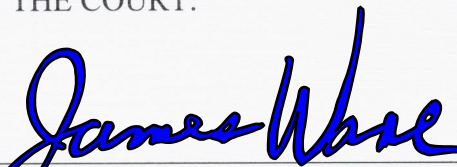
) Case No.: CR08-00076-JW

) ORDER

It is hereby ordered that the sentencing scheduled for 1:30 pm on January 26, 2009 be continued until 1:30 p.m. on March 9, 2009 at 1:30 PM

BY THE COURT:

Dated: December 12, 2008


JAMES WARE, U.S. DISTRICT COURT JUDGE